

ORDINANCE NO. 971210-A

AN ORDINANCE AMENDING ORDINANCE NO. 970915-A, THE 1997-98 CAPITAL BUDGET OF THE AVIATION DEPARTMENT BY INCREASING THE APPROPRIATIONS BY \$5,957,000 OF THE AUSTIN-BERGSTROM INTERNATIONAL AIRPORT FOR THE DESIGN, INSTALLATION, MAINTENANCE AND OPERATION OF THE TELECOMMUNICATIONS SYSTEM; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council amends Ordinance No. 970915-A, the 1997-98 Capital Budget of the Aviation Department by increasing the appropriations by \$5,957,000 of the Austin-Bergstrom International Airport for the design, installation, maintenance and operation of the Telecommunications System.

PART 2. The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.

PART 3. The Council finds that the need to amend the budget constitutes an emergency, a grave public necessity, and an unusual and unforeseen condition that could not, by reasonable diligence, have been included in the original budget for the current fiscal year. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____, December 10, 1997. §
 § *Kirk Watson*
 § _____
 Kirk Watson
 Mayor

APPROVED: *Andrew Martin* ATTEST: *James E. Aldridge*
 Andrew Martin James E. Aldridge
 City Attorney City Clerk

ORDINANCE NO. 971211-A

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 13-2 OF THE CITY CODE AS FOLLOWS:

9,595 SQUARE FOOT PARCEL OF LAND OUT OF LOT 3, BLOCK 10, THE SUBDIVISION OF RAYMOND PLATEAU, FROM "CS" COMMERCIAL SERVICES DISTRICT TO "CS-H" COMMERCIAL SERVICES HISTORIC DISTRICT, LOCALLY KNOWN AS 506 BAYLOR STREET, GENERALLY KNOWN AS THE WROE-BUSTIN HOUSE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 13-2-22 of the City Code is amended to change the base zoning district from "CS" Commercial Services district to "CS-H" Commercial Services Historic district, on the property described in File C14h-97-0004, as follows:

9,595 square foot parcel of land out of Lot 3, Block 10, The Subdivision of Raymond Plateau, the parcel of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 506 Baylor Street, generally known as the Wroe-Bustin House, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Council waives the requirements of Sections 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 3. This ordinance takes effect on December 22, 1997.

PASSED AND APPROVED

December 11, 1997.

§
§
§

Kirk Watson

Kirk Watson
Mayor

APPROVED:

Andrew Martin

Andrew Martin
City Attorney

ATTEST:

James E. Aldridge

James E. Aldridge
City Clerk

9,595 s.f. Zoning Parcel
Portion of Lot 3 in Block 10
Raymond Plateau Subdivision
City of Austin, Travis Co., Texas

Project No. 97-580
FB 286 & 300 Nov 9

A DESCRIPTION OF A PROPOSED 9,595 SQUARE FOOT PARCEL (FOR ZONING) SITUATED IN LOT 3 OF BLOCK 10 OF THE SUBDIVISION OF RAYMOND PLATEAU, A SUBDIVISION OF OUTLOT 11 IN DIVISION "Z" IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN BOOK 1 AT PAGE 30 OF THE TRAVIS COUNTY PLAT RECORDS;

SAID 9,595 SQUARE FOOT PARCEL BEING A CERTAIN EAST PART OF THAT CERTAIN PARCEL OF LAND CONVEYED BY THE ESTATE OF MILDRED CROCKETT BUSTIN, DECEASED, TO TESOROS TRADING COMPANY BY SPECIAL WARRANTY DEED DATED MAY 26, 1995 RECORDED IN VOLUME 12450 AT PAGE 2055 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

AND SAID 9,595 SQUARE FOOT PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ACCORDING TO SURVEYS PERFORMED UPON THE GROUND IN OCTOBER, 1995 AND NOVEMBER, 1997 UNDER THE DIRECTION OF KENT NEAL MCMILLAN, REGISTERED PROFESSIONAL LAND SURVEYOR, 2104 PARAMOUNT AVENUE, AUSTIN, TEXAS:

Bearings of lines in the following description refer to **True North** (Astronomic North) as determined by solar observations:

In the following, "Standard Rod and Cap" denotes a Punchmark on a 2 in. Aluminum Cap stamped "KENT MCMILLAN, SURVEYOR, RPLS 4341" attached to a 5/8 in. Iron Rod and "Standard Spike and Washer" denotes a Punchmark on a 3/8 in. Steel Spike set with a 2 in. Aluminum Washer stamped as above:

BEGINNING at a Standard Rod and Cap (No. 73) set on the recognized West line of Baylor Street (formerly known as Crockett Street), approximately 1.00 ft. West of the West edge of an old Concrete Sidewalk (and on the line of a former Fence as found in place in February, 1947 by Marlton O. Metcalfe, Surveyor, according to Plan 2-A-253 on file in the archives of the Austin City Engineer) to mark the East common corner of Lots 2 and 3 in Block 10 of THE SUBDIVISION OF RAYMOND PLATEAU, a Subdivision in the City of Austin, Travis County, Texas according to the plat recorded in Book 1 at Page 30 of the Travis County Plat Records, same being also the Northeast corner of that certain parcel conveyed by the Estate of Mildred Crockett Bustin, Deceased, to Tesoros Trading Company by Special Warranty Deed dated May 26, 1995 recorded in Volume

12450 at Page 2055 of the Real Property Records of Travis County, Texas, noting that from said Standard Rod and Cap (No. 73) set:

- a Standard Rod and Cap (No. 72) set on the recognized West line of Baylor Street at the intersection of the North line of the 40.00 ft. wide right-of-way of Sayers Street to mark the Northeast corner of that certain twenty (20.00) foot wide strip of land off of the South side of said Lot 3 in Block 10 conveyed by Mrs. F.A. Raymond to the City of Austin, Texas by Warranty Deed dated December 20, 1889 recorded in Volume 91 at Page 386 of the Travis County Deed Records bears S23°30'58"W, 143.75 ft.,
 - an old 1/2 in. Iron Pipe found in Concrete on the recognized West line of Baylor Street bears S23°30'58"W, 142.66 ft.,
 - an old 3/8 in. Iron Pipe found on the recognized West line of Baylor Street (or its Northerly prolongation) 0.15 ft. North of the North face of an old Concrete Retaining Wall bears N23°30'58"E, 165.25 ft. (said old Pipe being approximately 37.23 ft. distant in a Southerly direction from the City Engineer's Centerline for the 80 ft. wide right-of-way of West 6th Street),
 - a 5/8 in. Iron Rod set along the South face of the Brick Wall of a Building bears N66°29'42"W, 149.30 ft., said Rod marking the Northwest corner of the parcel conveyed to Tesoros Trading Company by Deed recorded in Volume 12450 at Page 2055 of the Travis County Deed Records, same being a re-entrant corner on the East line of Lot 1 of ELM SQUARE ADDITION according to the plat recorded in Book 85 at Page 74C of the Travis County Plat Records,
 - a Standard Spike and Washer (No. 4) set for reference in the top of the curb return at the Southwest side of the intersection of Sayers Street and Baylor Street bears S19°37'38"W, 183.04 ft.,
 - a Standard Spike and Washer (No.2) set for reference in the old Concrete Sidewalk bears S18°26'49"W, 15.73 ft.,
 - a Standard Spike and Washer (No.1) set for reference in the Concrete Curb on the North side of West 6th Street, on the East side of a Driveway, bears N25°41'05"E, 226.34 ft.
- 1) **THENCE** along the recognized West line of Baylor Street, **S23°30'58"W, 93.94 ft.** to a Standard Rod and Cap (No.74) set to mark the Southeast corner of the Tesoros Trading Company parcel described in Volume 12450 at Page 2055 of the Travis County Deed Records, same being the Northeast corner of that certain parcel of land conveyed by Vadagay Filtsch to Tesoros Trading Company by Warranty Deed dated

November 8, 1993 recorded in Volume 12065 at Page 2790 of the Travis County Deed Records, noting that from said Rod and Cap set:

- a 1/2 in. Steel Dowel found bears N66°29'19"W, 0.18 ft. and
 - a 5/8 in. Iron Rod set along the West edge of a Concrete Curb (9 in. below the top of said Curb) bears N66°29'19"W, 149.80 ft., said Rod being on the East line of Lot 1 of ELM SQUARE ADDITION and marking the Southwest corner of the Tesoros Trading Company Parcel described in Volume 12450 at Page 2055 of the Travis County Deed Records and Northwest corner of the Tesoros Trading Company Parcel described in Volume 12065 at Page 2790 of the Travis County Deed Records;
- 2) **THENCE** along the common line of said Tesoros Trading Company parcels, **N66°29'19"W, 102.70 ft.** to an Unmarked Point (in an area presently disturbed by construction) for the Southwest corner of the 9,595 sq. ft. Zoning Parcel here described;
- 3) **THENCE N24°11'36"E, 93.94 ft.** to an Unmarked Point (in an area presently disturbed by construction) for the Northwest corner of the 9,595 sq. ft. Zoning Parcel here described;
- 4) **THENCE** along the North line of the Tesoros Trading Company Parcel described in Volume 12450 at Page 2055 of the Travis County Deed Records, **S66°29'42"E, 101.59 ft.** to the Point of Beginning,

CONTAINING in all 9,595 square feet of land as determined by this survey.

I, Kent Neal McMillan, a Registered Professional Land Surveyor, hereby certify that the above is a true and correct description of the results of an actual survey performed upon the ground under my direction for the purpose of describing the lines of a Zoning Parcel, completed November 9, 1997.

Witness my hand and seal of registration November 14, 1997.



Kent Neal McMillan

Kent Neal McMillan
Registered Professional Land Surveyor No. 4341
2104 Paramount Avenue
Austin TX 78704
Telephone (512) 445-5441

971211-A

IN THE FOLLOWING "STANDARD ROD AND CAP" DENOTES A PUNCHWORK ON A 1/2" ALUMINUM CAP STAMPED "KENT MOHILLAN, SURVEYOR-REELS-4341" ON A 5/8 IN. SPIKE. "STANDARD SPIKE AND WASHER" DENOTES A STEEL SPIKE WITH A 2 IN. ALUMINUM WASHER STAMPED AS DESCRIBED ABOVE.

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ELM SQUARE ADDITION

LOT 1 LOT 2 LOT 3

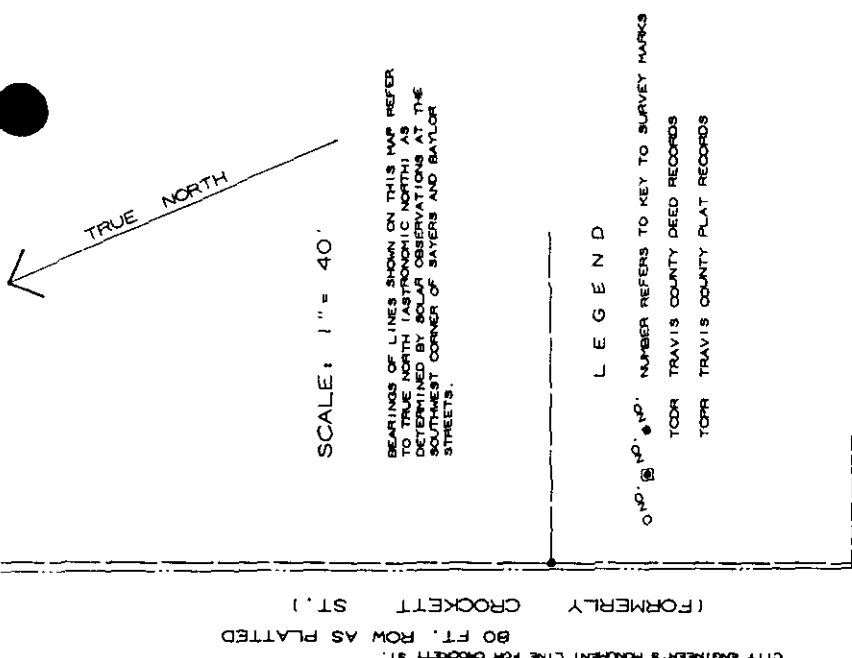
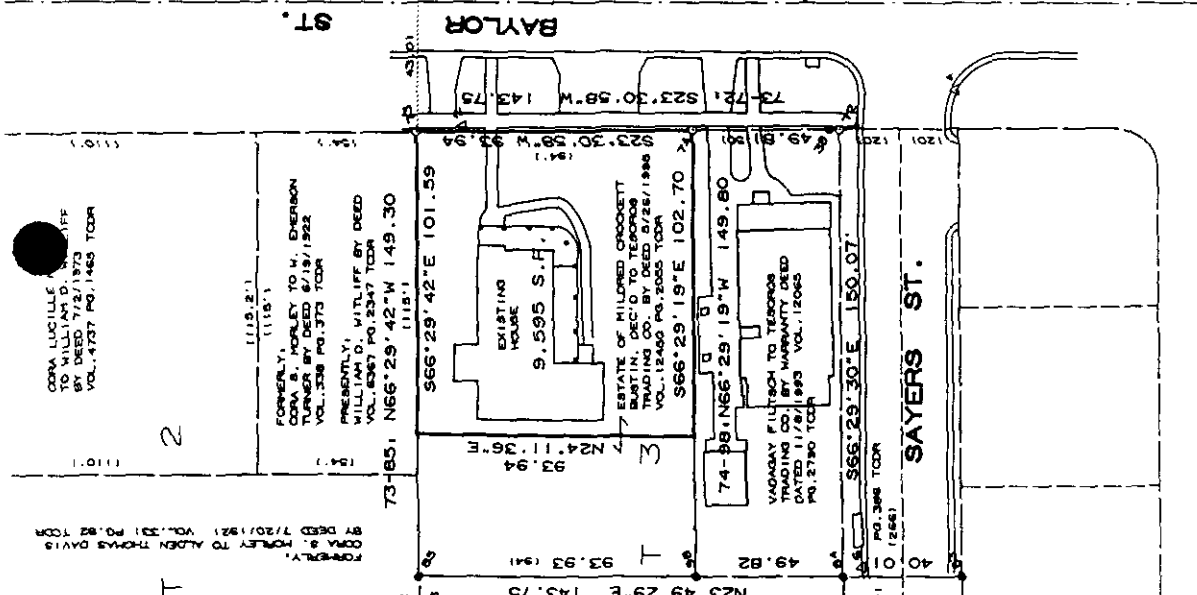
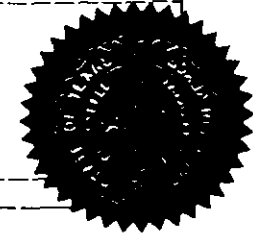
BK. 85 PG. 74 C T C R

LOT 1, 1/2" SQUARE ADDITION, COLLECTING BANK, N.A. TO AUSTIN INDEPENDENT SCHOOL DISTRICT BY DEED 8/24/1980 VOL. 11258 PG. 283 TCR

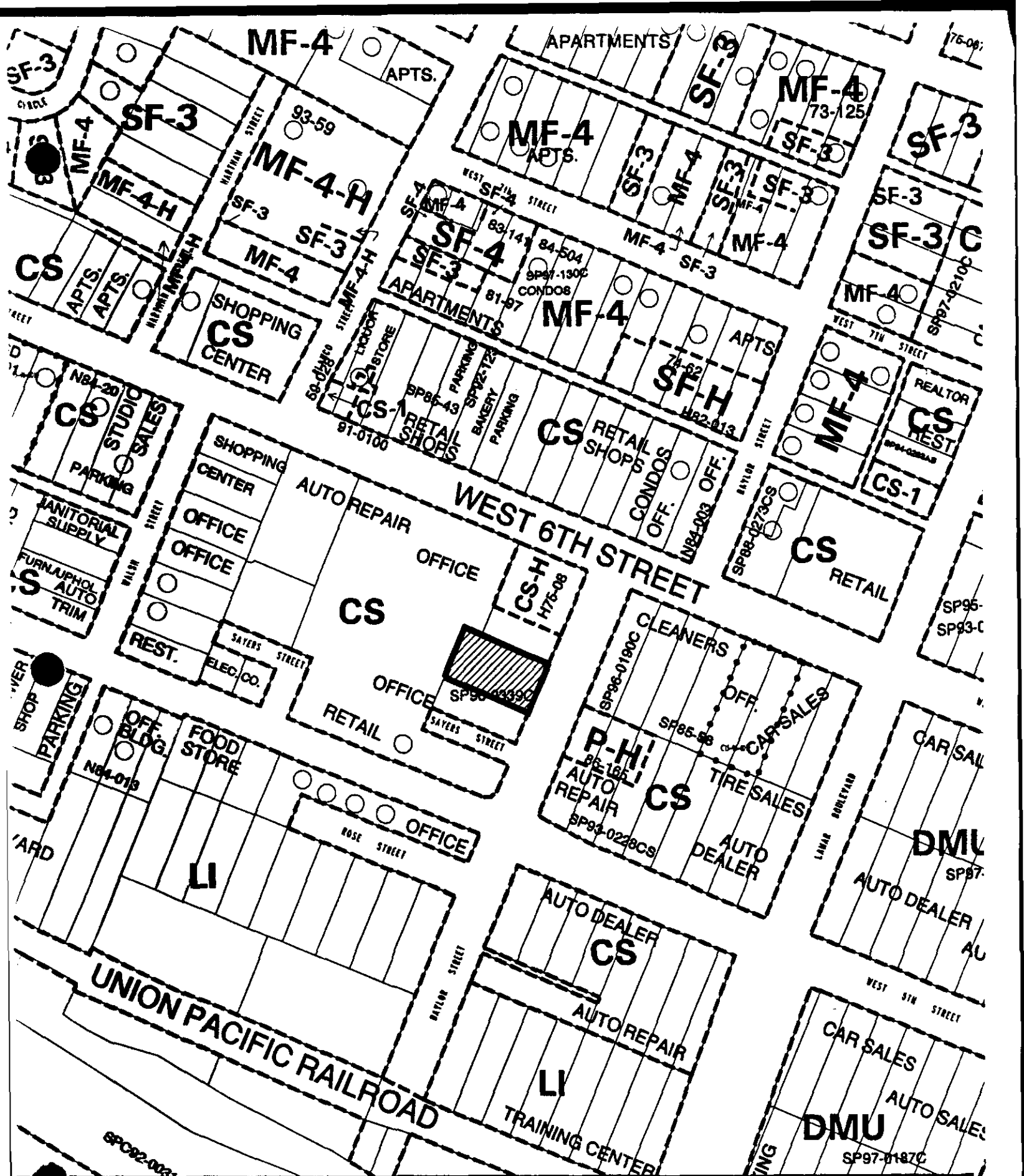
MRS. F.A. RAYMOND TO CITY OF AUSTIN 12/20/1989 VOL. 81 LOT 3

SIGNED FOR IDENTIFICATION
NOVEMBER 12, 1997

Kent Neal Mohillan
KENT NEAL MOHILLAN
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 4341
2104 PARAMOUNT AVENUE, AUSTIN TX 78704
TELEPHONE (512) 445-5441



SKETCH MAP TO ACCOMPANY WRITTEN DESCRIPTION 97-580 OF A PORTION OF THE TESOROS TRADING COMPANY PARCEL CONVEYED BY THE ESTATE OF MILDRED CROCKETT BUSTIN, DEC'D, TO TESOROS TRADING CO. BY DEED DATED 5/26/1995 RECORDED IN VOLUME 12450 AT PAGE 2055 TRAVIS COUNTY REAL PROPERTY RECORDS



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE MGR: G.ZAPALAC

CASE #: C14h-97-0004

ADDRESS: 506 BAYLOR ST.

SUBJECT AREA (acres): 0.316

ZONING EXHIBIT "B"

DATE: 97-10

INTLS: TRC

CITY GRID
REFERENCE
NUMBER

H22

1" = 200'

971211-A

19

Austin American-Statesman

PO#: 971211A
Ad ID#: CTQH00800
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

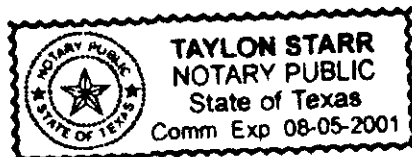
SHARON JANAK

Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	12/31/97	Last Published:	12/31/97
Times Published:	1	Classification:	9980
Lines:	19	Cost:	\$49.78

and that the attached is a true copy of said advertisement.

SWORN AND SUBSCRIBED TO BEFORE ME, this the 31st day of Dec 1997



Taylon Starr
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

ORDINANCE NO. 971211-A

AN ORDINANCE REZONING, AND
CHANGING THE ZONING MAP AC-
CORDING TO CHAPTER 13-2 OF
THE CITY CODE AS FOLLOWS:
9,595 SQUARE FOOT PARCEL OF
LAND OUT OF LOT 3, BLOCK 10, THE
SUBDIVISION OF RAYMOND PLA-
TEAU, FROM "CS" COMMERCIAL
SERVICES DISTRICT TO "CS-H"
COMMERCIAL SERVICES HISTORIC
DISTRICT, LOCALLY KNOWN AS 505
BAYLOR STREET, GENERALLY
KNOWN AS THE WROE-BUSTIN
HOUSE, IN THE CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS.
Mayor, Kirk Watson
City of Austin